

Remarks

Claims 1-9 are pending in this application for the Examiner's review and consideration upon entry of this paper. Claim 1 has been amended to more clearly recite the invention. No new prohibited matter has been added by this amendment.

1. Claim Objections

The Examiner has objected to claim 1 due to alleged informalities.

Further to the Examiner's recommendation, Applicants have amended claim 1 by amending the term "coat" as recited in line 4 to "coating". Accordingly, Applicants respectfully request that this objection be withdrawn.

2. Rejection under 35 U.S.C. § 103(a)

The Examiner has rejected claims 1-9 as allegedly obvious over U.S. Patent No. 5,268,203 to Batdorf ("Batdorf") in view of U.S. Patent No. 7,312,257 to Hobbs *et al.* ("Hobbs"). According to the Examiner, it would have been obvious to a person of ordinary skill in the art to modify the pigment in the substrate-coating-pigment composition taught by Batdorf with the polymer-encapsulated pigment taught by Hobbs in order to achieve Applicants' claimed thermoplastic resin product.

Applicants submit that Batdorf teaches a substrate coated by a coating layer, where the coating layer incorporates a pigment. Batdorf does not teach or suggest surface-treating the pigment, even less with a polymer.

Hobbs describes the technique of encapsulating a thermosetting acrylic resin on the surface of a high aspect ratio particle such as aluminum. Typically, there is no compatibility between a thermoplastic resin and a thermosetting resin. If a bilayer of a thermoplastic resin and a thermosetting resin is ground and heated for the purpose of recycling, undesirable peeling occurs at the boundary between the thermoplastic resin and the thermosetting resin.

Applicants' claimed invention has an advantage in coating because the recited thermosetting acrylic resin or thermosetting styrene-modified acrylic resin that is contact with the surface of the pigment (*e.g.*, an aluminum flake) is compatible with both the styrene based

thermoplastic resin constituting the formed product and the thermoplastic resin constituting a coating compound (*See, e.g.*, paragraphs [0088], [0089], and [0095] in Applicants' published specification). Applicants' claimed invention is the first to exhibit this level of multiple compatibilities between polymers in a single product that has undergone a reformation/regeneration.

By utilizing the recited combination of the thermoplastic resin (present in the product and the coating compound) and the thermosetting resin (present in contact with the pigment incorporated in the coating compound) the coated formed product can unexpectedly withstand recycling with any observed peeling at the boundary between the resins. This suppression of material deterioration is unexpected and is not contemplated by Batdorf or Hobbs, either alone or in combination. Hobbs only teaches compatibility between the pigment flake and the encapsulating polymer. Clearly, the Batdorf/Hobbs combination does not teach or suggest preparing a product as claimed by Applicants in which a thermosetting styrene-modified acrylic resin or a thermosetting acrylic resin in contact with the surface of pigment is fully compatible with both the styrene-based thermoplastic resin constituting the formed product and the thermoplastic resin constituting the coating compound. Applicants therefore respectfully request that the rejection to claims 1-9 under 35 U.S.C. § 103(a) be withdrawn.

3. Conclusion


Applicants submit that the claims are in proper form in all respects and a favorable action on the merits is respectfully requested. The Examiner is invited to contact the undersigned with any questions or concerns that may prevent this requested allowance.

Except for issues payable under 37 C.F.R. 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. 1.16 and 1.17 which may be required, including any required extension of time fees, or to credit any overpayment to Deposit Account 50-0310. This paragraph is intended to be a constructive petition for extension of time in accordance with 37 C.F.R. 1.136(a)(3).

Respectfully submitted,

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